



04-15-04

JFW 1645

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/024,652
	Filing Date	December 17, 2001
	First Named Inventor	Pia M. CHALLITA-EID
	Art Unit	1645
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	6 + 6 Refs	Attorney Docket Number 511582002500

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	Form 1449, 1 page in duplicate
<input checked="" type="checkbox"/> Information Disclosure Statement, 3 pages	<input checked="" type="checkbox"/> CD, Number of CD(s) 1 Containing Refs 3 & 4	(6) References, including ISR Return Postcard
<input type="checkbox"/> Certified Copy of Priority Document(s)		
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks CUSTOMER NO. 25225		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP James J. Mullen, III - 44,957
Signature	
Date	April 13, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EL 983652316 US, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 4-13-04 Signature: (Rhea Amid)



PATENT
Docket No. 511582002500

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EL 983652316 US

Date of Deposit: April 13, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Rhea Amid

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Pia M. CHALLITA-EID et al.

Serial No.: 10/024,652

Filing Date: December 17, 2001

For: NUCLEIC ACID AND ENCODED ZINC
TRANSPORTER PROTEIN ENTITLED
108P5H8 USEFUL IN TREATMENT
AND DETECTION OF CANCER

Examiner: Not Yet Assigned

Group Art Unit: 1645

SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of document numbers 3 and 4 are submitted herewith on CD-R due to length. The Examiner is requested to make these documents of record.

The document numbers 1, 2, 5, 6 and 8 listed on the attached Form PTO-1449 were cited in an International Search Report mailed on May 7, 2003 (copy attached) directed to a counterpart international or foreign application.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☐ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search

has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing 511582002500. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

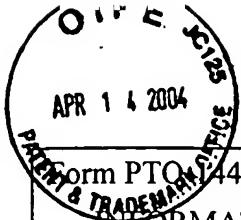
Dated: April 13, 2004

Respectfully submitted,

By: 

James J. Mullen III
Registration No. 44,957

Morrison & Foerster LLP
3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-7940
Facsimile: (858) 720-5125



Form PTO/SB/08 (2-92)

Docket Number 511582002500

Application Number 10/024,652

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

Applicant

Pia M. CHALLITA-EID. et al

(Use several sheets if necessary)

Filing Date December 17, 2001

Group Art Unit 1645

Mailing Date April 13 2004

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	1.	09/1997 /	WO 9733602	WIPO			
	2.	03/2002 /	WO 200224718	WIPO			
	3.	08/2002 4	WO 200260953	WIPO			
	4.	06/2003 7	WO 2003050236	WIPO			

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	5.	Huang et al., Nature Genetics (1997) 17(3):292-297
	6.	Hwang et al., Seminars in Oncology (1999) 26(2):192-201
	7.	International Search Report mailed on May 7, 2003 for, PCT patent application no. PCT/US01/49133 filed on December 17, 2001, 6 pages.
	8.	Southwood et al., Journal of Immunology (1998) 160(7):3363-3373

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.